

BLD-164

March 22, 2007

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. **06-4356**

DERIOUS J. JOHNSON

vs.

THOMAS CARROLL, et al.
(D. Del. Civ. No. 05-cv-00237)

Present: MCKEE, FUENTES and WEIS, CIRCUIT JUDGES

Submitted is appellant's notice of appeal, construed as his request for a certificate of appealability under 28 U.S.C. § 2253(c)(1)

in the above-captioned case.

Respectfully,

Clerk

ORDER

The foregoing request for a certificate of appealability is denied because jurists of reason would not disagree with the District Court's conclusion that the appellant's claims are defaulted or meritless. Slack v. McDaniel, 529 U.S. 473 (2000).



A True Copy:

Marcia M. Waldron

Dated: April 24, 2007

Marcia M. Waldron, Clerk

ARL/cc: DJJ; TEB

By the Court,

/s/ Joseph F. Weis, Jr.

United States Circuit Judge